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LIMITED OFFICIAL USE GUATEMALA 7276

E.O. 11652: N/A


TAGS: EFIS, GT

SUBJECT: LICENSES FOR COMMERCIAL FISHING IN GUATEMALAN
"TERRITORIAL" WATERS

REF: QUITO 6394

1. ALTHOUGH GOG EXTENDED CLAIM OVER 200 MILE "ECONOMIC ZONE" OFF PACIFIC COAST BY DECREE ISSUED JULY, 1976, NO REGULATIONS HAVE BEEN WRITTEN TO IMPLEMENT IT. MINAG OFFICIALS OF DIRECCION DE RECURSOS NATURALES RENOVABLES CONFIDE THAT REGULATIONS GOVERNING COMMERCIAL FISHING LICENSES FOR CONTINENTAL SHELF AREA COULD NOT BE APPLIED TO ENTIRE 200 MILE ECONOMIC ZONE. THEY SAY THOSE REGULATIONS, WRITTEN MORE THAN 40 YEARS AGO, ARE SO RESTRICTIVE (AND WERE INTENDED TO BE SO) THAT NO FOREIGN VESSEL HAS EVER APPLIED FOR A LICENSE. FURTHERMORE, GOG COULD NOT ENFORCE LICENSING PROCEDURE FOR ENTIRE ECONOMIC ZONE. A FEW MEXICAN SHRIMP BOATS HAVE BEEN CAUGHT FISHING OVER GUATEMALAN CONTINENTAL SHELF WITHOUT LICENSES AND FORCED INTO PORT BY GUATEMALAN AIR FORCE PLANES. GOG IS AWARE THAT FOREIGN COMMERCIAL VESSELS ARE CURRENTLY FISHING WITHIN 200 MILE LIMIT THOUGH THEY HAVE NOT ASKED PERMISSION.

2. FOLLOWING IS DESCRIPTION OF COMMERCIAL FISHING LICENSE REQUIRED OF FOREIGN VESSELS WHICH INTEND TO FISH OVER GUATEMALAN CONTINENTAL SHELF (LESS THAN 200 METERS OF DEPTH). ANSWERS KEYED TO QUESTIONS RAISED REFTEL.

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A & B. PRICE AND DURATION OF LICENSE: FOR TYPE C LICENSE REQUIRED OF FOREIGN VESSELS WHICH INTEND TO DISCHARGE CATCH IN NON-Guatemalan PORT, \$40 IF VESSEL NET WEIGHT LESS THAN 50 TONS, OR \$80 IF BETWEEN 50 AND 100 TONS, OR \$160 OF OVER 100 TONS. THIS LICENSE VALIF FOR ONE YEAR. IN ADDITION, SHIP MUST PAY \$10 PER TONNAGE CAPACITY OF FISH STORAGE HOLD EACH TIME SHIP PUTS OUT TO SEA TO FISH IN GUATEMALAN WATERS.

C. PROCEDURE FOR OBTAINING LICENSE: APPLICATION MUST BE PRESENTED TO DIVISION DE FAUNA, DIRECCION DE RECURSOS NATURALES RENOVABLES, MINISTERIO DE AGRICULTURA WITH INFORMATION ABOUT THE FISHING COMPANY AND DESTINATION OF THE CATCH.

D. THERE IS NO LIMITATION ON SIZE OF VESSELS.

E. LIMITATIONS ON TYPE OR MODE OF FISHING: THE USE OF EXPLOXIVES OR POISONS IS PROHIBITED. LICENSES FOR SHRIMP FISHING WILL NOT BE ISSUED FOR THE PACIFIC THOUGH POSSIBLY FOR THE ATLANTIC. THE REGULATIONS DO NOT COVER LOBSTER FISHING.

F. THERE IS NO ZONE RESERVED EXCLUSIVELY FOR DOMESTIC FISHING VESSELS.

G. PENALTY FOR COMMERCIAL FISHING WITHOUT A LICENSE: SEIZURE OF FISHING GEAR, CONFISCATION OF ENTIRE CATCH, AND \$10,000 FINE. BOSTER

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